

“Date”

Mr. Scott Greenmun,
Chairman, Beauregard Parish Ambulance Service Review Committee
Director of Home Land Security and Emergency Preparedness
412 Bolivar Bishop Dr.
Deridder, Louisiana 70634

RE: Ethics Board Docket No. 2021-719

Dear Mr. Greenmun:

The Louisiana Board of Ethics, at its October 8, 2021 meeting, considered your request for an advisory opinion relative to whether Wayne Baggett, a member of the Beauregard Parish Ambulance Service Review Committee, can continue to serve on the committee after his daughter, Kaitlyn Baggett, was hired by Med-Express, an ambulance service provider regulated by the Ambulance Service Review Committee.

FACTS PROVIDED

You provided that the Beauregard Parish Ambulance Service Review Committee (“Committee”) regulates ambulance services in Beauregard Parish. You stated that the Committee consists of ten members who meet quarterly to consider applications for permits for an ambulance service to operate in Beauregard Parish. The Committee also reviews compliance reports relative to ambulance service providers and considers fines, suspension or termination for those providers not in compliance. The Committee also reviews any complaints made against the ambulance service providers and makes recommendations to the Beauregard Parish Police Jury for action against those providers. You stated that currently, Acadian Ambulance and Med-Express provide ambulance service in Beauregard Parish. You stated that Wayne Baggett serves as a member of the Committee and that his daughter, Kaitlyn Baggett was recently hired by Med-Express to work in the warehouse located in Beauregard Parish. You questioned whether Wayne Baggett can remain on the Committee or whether he must recuse himself from voting on matters involving Med-Express?

LAW

La. R.S. 42:1112B(1) prohibits a public servant from participating in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest.

La. R.S. 42:1120.4 provides that if an appointed member of a board or commission in the discharge of a duty or responsibility of his office or position, would be required to vote on a matter which vote would be a violation of R.S. 42:1112, he shall recuse himself from voting and is prohibited from participating in discussion and debate concerning the matter.

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La. R.S. 42:1114A provides that other than a legislator, each public servant and each member of his immediate family who derives any thing of economic value, directly, through any transaction involving the agency of such public servant or who derives any thing of economic value of which he may be reasonably expected to know through a person which (1) is regulated by the agency of such public servant, or (2) has bid on or entered into or is in any way financially interested in any contract, subcontract, or any transaction under the supervision or jurisdiction of the agency of such public servant shall disclose the following: (1) The amount of income or value of any thing of economic value derived; (2) The nature of the business activity; (3) Name and address, and relationship to the public servant, if applicable; and (4) The name and business address of the legal entity, if applicable.

CONCLUSION

The Board concluded and instructed me to inform you, that the Code of Governmental Ethics (Ethics Code) would not prohibit Wayne Baggett from continuing to serve on the Committee, however he may not participate in any transaction involving the Committee in which his daughter has an economic value. Since Kaitlyn Baggett is employed by Med-Express, she has a substantial economic interest in whether Med-Express can provide ambulance service in Beauregard Parish. Further, under R.S. 42:1120.4, Wayne Baggett should recuse himself from voting on a matter which vote would be a violation of R.S. 42:1112, as well as not participate in discussion and debate concerning the matter.

The Board further concluded and instructed me to inform you, that since Kaitlyn Baggett receives income from Med-Express, she would be required to file a financial disclosure statement pursuant to La. R.S. 42:1114 each year by May 15th disclosing any thing of economic value she has received from Med-Express while Med-Express is regulated by the Committee. Enclosed is a copy of La. R.S. 42:1114 and a copy of the disclosure form.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board